

B 2100A (Form 2100A) (12/15)

UNITED STATES BANKRUPTCY COURT
For The Eastern District of Pennsylvania

In re: Robert A McKelvy

Case No. 23-11149-pmm

TRANSFER OF CLAIM OTHER THAN FOR SECURITY

A CLAIM HAS BEEN FILED IN THIS CASE or deemed filed under 11 U.S.C. § 1111(a). Transferee hereby gives evidence and notice pursuant to Rule 3001(e)(2), Fed. R. Bankr. P., of the transfer, other than for security, of the claim referenced in this evidence and notice.

UMB Bank, National Association, not in its individual capacity, but solely as Legal Title Trustee of LVS Title Trust XIII

Name of Transferee

Name and Address where notices to transferee should be sent:

Rushmore Servicing
PO Box 619096
Dallas, TX 75261-9741

Phone: 877-888-4623
Last Four Digits of Acct #: XXXXXX3928

Name and Address where transferee payments should be sent (if different from above):

c/o Nationstar Mortgage
PO Box 619094
Dallas, TX 75261-9741

Phone: 877-888-4623
Last Four Digits of Acct #: XXXXXX3928

I declare under penalty of perjury that the information provided in this notice is true and correct to the best of my knowledge and belief.

By: /s/ Sarah K. McCaffery, Esquire
Transferee/Transferee's Agent

UMB Bank, National Association, not in its individual capacity, but solely as legal title trustee for LVS Title Trust XIII c/o Rushmore Loan Management Services, LLC

Name of Transferor

Court Claim #(if known): 7

Amount of Claim: \$211,750.08

Date Claim Filed: 06/22/2023

Phone: 888-504-6700
Last Four Digits of Acct #: 0770

Date: 01/03/2024

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 & 3571.

01924-15/VC

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: Robert A McKelvy

Chapter: 13

Bankruptcy No.: 23-11149-pmm

Debtor

11 U.S.C. § 362

UMB Bank, National Association, not in its
individual capacity, but solely as Legal Title Trustee
of LVS Title Trust XIII

Movant

vs.

Robert A McKelvy

Debtor

and

KENNETH E. WEST

Trustee

Respondents

CERTIFICATE OF SERVICE

I hereby certify that I am over 18 years of age; and that service upon all interested parties, indicated below, was made by sending true and correct copies of the Transfer of Claim electronically and/or via First Class Mail, postage prepaid.

Date Served: 01/03/2024

KENNETH E. WEST
Chapter 13 Trustee
1234 Market Street - Suite 1813
Philadelphia, PA 19107

United States Trustee
200 Chestnut Street
Suite 502
Philadelphia, PA 19106

Robert A McKelvy
1411 E. Cardeza Street
Philadelphia, PA 19150

01924-15/VC

MICHAEL A. CIBIK
1500 Walnut Street
Suite 900
Philadelphia, PA 19102

I hereby certify the foregoing to be true and correct under penalty of perjury.

Respectfully submitted,

/s/ Sarah K. McCaffery, Esquire
Sarah K. McCaffery, Esquire
Hladik, Onorato & Federman, LLP
Attorney I.D. # 311728
298 Wissahickon Avenue
North Wales, PA 19454
Phone 215-855-9521
Fax 215-855-9121

10/11/2023



**Rushmore
Servicing™** PO Box 619097
Dallas, TX 75261

**OUR INFO
ONLINE**

www.rushmoreservicing.com

YOUR CLIENT'S INFO

DEBTOR(S)

ROBERT MCKELVY

CASE NUMBER

2311149

LOAN NUMBER

PROPERTY ADDRESS

1411 E CARDEZA ST
PHILADELPHIA, PA 19150

MICHAEL A CIBIK
1500 WALNUT ST STE 900
PHILADELPHIA, PA 191023518

Dear MICHAEL A CIBIK:

Our records indicate that you represent Robert Mckelvy (hereinafter "your client") in the above-referenced Bankruptcy proceeding.

The enclosed letter is intended for your client. We have sent this letter to you because of the attorney/client relationship and the above-referenced loan is presumably a subject of your legal representation. Therefore, we consider service of the attached letter as service to your client.

At your earliest convenience, please review the attached and forward to your client.

If you or your client have any questions, your client(s) Dedicated Loan Specialist is Tierra Roberson and can be reached at (877)-888-4623 or via mail at PO Box 619097, Dallas, TX 75261. Our hours of operation are Monday through Friday from 8 a.m. to 7 p.m. (CT).

Sincerely,

Rushmore Servicing

Enclosure(s)



10/11/2023



**Rushmore
Servicing**™ PO Box 619097
Dallas, TX 75261

OUR INFO
ONLINE

www.rushmoreservicing.com

YOUR INFO

DEBTOR(S)

ROBERT MCKELVY

CASE NUMBER

2311149

LOAN NUMBER

PROPERTY ADDRESS

1411 E CARDEZA ST
PHILADELPHIA, PA 19150

ROBERT MCKELVY
1411 E CARDEZA ST
PHILADELPHIA, PA 19150

Dear ROBERT MCKELVY:

The servicing of your mortgage loan, that is, the right to collect payments from you, is being transferred from RUSHMORE LOAN MANAGEMENT SERVICES LLC to Rushmore Servicing effective 10/1/2023. The servicing of the mortgage loan will be handled by the Bankruptcy Department at Rushmore Servicing.

This transfer does not affect any term or condition of the mortgage instruments or applicable treatment in current bankruptcy proceedings, other than terms directly related to the servicing of your loan such as where to send your payments or make inquiries related to the mortgage loan.

Except in limited circumstances, the law requires that your prior servicer send you this notice at least 15 days before the effective date of transfer or at closing. Your new servicer must also send you a notice of the transfer no later than 15 days after this effective date or at closing.

Your prior servicer was RUSHMORE LOAN MANAGEMENT SERVICES LLC. If you have any questions relating to the transfer of servicing, please do not hesitate to contact their Customer Service Department at 888-504-6700 or via mail at 15480 LAGUNA CANYON RD STE 100, IRVINE, CA 92618.

Your new Servicer is Rushmore Servicing and your new loan number will be [REDACTED]. If you have any questions relating to the transfer of servicing to Rushmore Servicing, you may call the Bankruptcy Department at 877-888-4623 between the hours of Monday through Friday from 8 a.m. to 7 p.m. (CT). Please note the following important address information for the Bankruptcy Department at Rushmore Servicing:

Correspondence Address:

Rushmore Servicing
PO Box 619096
Dallas, TX 75261-9741

Payment Address:

Rushmore Servicing
PO Box 619094
Dallas, TX 75261-9741

The date that your prior servicer will stop accepting payments from you is 9/30/23. The date that your new servicer will start accepting payments from you is 10/1/2023. Send all payments due on or after that date to your new servicer.

Rushmore ServicingSM and Mr. Cooper[®] are brand names for Nationstar Mortgage LLC.

Please be advised this communication is sent for informational purposes only and is not intended as an attempt to collect, assess, or recover a claim against, or demand payment from, any individual protected by the U.S. Bankruptcy Code. If this account has been discharged in a bankruptcy proceeding, be advised this communication is for informational purposes only and not an attempt to collect a debt against you; however, the servicer/lender reserves the right to exercise the legal rights only against the property securing the loan obligation, including the right to foreclose its lien under appropriate circumstances. Nothing in this communication shall be construed as an attempt to collect against the borrower personally or an attempt to revive personal liability.

If you are a successor in interest (received the property from a relative through death, devise, or divorce, and you are not a borrower on the loan) that has not assumed, or otherwise become obligated on the debt, this communication is for informational purposes only and is not an attempt to collect a debt from you personally.





If your bankruptcy plan requires you to make post-petition mortgage payments directly to the bankruptcy trustee, please continue to send the payments pursuant to the bankruptcy plan and not to the address above.

The transfer of the servicing of the mortgage loan will require you to contact all hazard and flood insurers to add Rushmore Servicing as loss payee with the below address and information. For escrow accounts, insurers need to send billing statements/invoices to Rushmore Servicing Loss Payee. Be sure to provide Rushmore Servicing with a copy of the Notice to the Insurance Provider.

Rushmore Servicing
Its Successors and/or Assigns
P.O. Box 7729
Springfield, OH 45501-7729

If your loan has optional insurance, your mortgage life insurance, disability insurance and/or other optional products will be discontinued at the time of transfer. If you wish to maintain coverage, you must contact your provider about direct billing. If your loan does not have optional products, and you wish to obtain them, you will need to contact an optional insurance provider.

If you were making payments to the prior servicer by means of automatic deduction or monthly recurrence of Western Union payments, this service will not continue with Rushmore Servicing due to the bankruptcy status of the loan. Once the loan is no longer in a bankruptcy status, you can set up automatic payments with Rushmore Servicing by contacting the Customer Service Department.

If you authorize your bank or credit union online bill payment system to automatically pay your mortgage payment, you will need to tell your bank or credit union to make those payments to Rushmore Servicing

If you are currently participating in, or being considered for, a foreclosure avoidance program or loan modification program, the prior servicer will be transferring to us any supporting documentation you may have submitted. Until the transfer date, you should continue to make your payments (i.e., trial payments, if attempting to qualify for a modification) to the prior servicer. After transfer, you should make all payments to **Rushmore Servicing** at the address above. Unless you have received a decision from the prior regarding qualification for these programs, decisions regarding qualification for these programs will be made by Rushmore Servicing. If you have received a decision from the prior servicer, we will be advised of that decision and will complete the processing of your workout, in accordance with that decision.

If your intention is to retain the property and you are interested in loss mitigation opportunities outside of the bankruptcy process, please contact our Bankruptcy Loss Mitigation representatives at 877-888-4623, Monday through Friday from 8 a.m. to 7 p.m. (CT). If you are represented by counsel in your bankruptcy proceeding, please be aware that we will need written authorization from your counsel to speak with you directly regarding available loss mitigation options.

Under federal law, during the 60-day period following the effective date of the transfer of the loan servicing, a loan payment received by your old servicer before its due date may not be treated by the new loan servicer as late and a late fee may not be imposed.

Sincerely,

Rushmore Servicing



ROBERT MCKELVY
1411 E CARDEZA ST
PHILADELPHIA, PA 19150

Loan #: [REDACTED]

RE: Home Mortgage Assistance Request

Dear MICHAEL A CIBIK:

Rushmore Servicing would like to provide the opportunity to assist your client with their mortgage. With the debtor in an active bankruptcy, we are seeking your assistance in obtaining information in order to process an accurate evaluation of assistance programs available.

In order to be able to quickly complete any review of assistance requested by your client, or due to current processes requested by bankruptcy district requirements, we are asking for approval of your firm by signature below to be allowed direct contact with your client so that we can discuss any opportunities available or obtain any necessary information in order to promptly complete our review.

Rushmore Servicing is very aware of the importance of communication while a debtor is in an active bankruptcy case and seek to work with you in regards to providing the best possible scenario for your client regarding their mortgage, while in an active bankruptcy case.

At your earliest convenience, please complete the information below and return with a cover sheet from your firm, by facsimile to 469-322-4497 so that we may have this document for our records.

Sincerely,

Rushmore Servicing
Bankruptcy Department

By signature below, authorization is provided for Rushmore Servicing to have a direct contact with our client (Client Name)_____ for the purpose of obtaining information/discussion of potential loss mitigation/loan assistance program regarding the debtor(s) home mortgage.

Date _____

Firm name _____

Attorney or authorized party signature _____

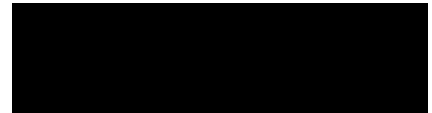
Firm telephone number _____

Fax number _____

If this debt is in or has been discharged in a bankruptcy proceeding, be advised this communication is not an attempt to collect the debt against you. Please note, however, we reserve the right to exercise the legal rights only against the property securing the original obligation.

**Servicemembers Civil Relief
Act Notice Disclosure**

**U.S. Department of Housing
and Urban Development
Office of Housing**



Legal Rights and Protections Under the SCRA

Servicemembers on “active duty” or “active service,” or a spouse or dependent of such a servicemember may be entitled to certain legal protections and debt relief pursuant to the Servicemembers Civil Relief Act (50 USC §§ 39014043) (SCRA).

Who May Be Entitled to Legal Protections Under the SCRA?

- Regular members of the U.S. Armed Forces (Army, Navy, Air Force Marine Corps and Coast Guard).
- Reserve and National Guard personnel who have been activated and are on Federal active duty
- National Guard personnel under a call or order to active duty for more than 30 consecutive days under section 502(f) of title 32, United States Code, for purposes of responding to a national emergency declared by the President and supported by Federal funds
- Active service members of the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration.
- Certain United States citizens serving with the armed forces of a nation with which the United States is allied in the prosecution of a war or military action.

What Legal Protections Are Servicemembers Entitled To Under the SCRA?

- The SCRA states that a debt incurred by a servicemember, or servicemember and spouse jointly, prior to entering military service shall not bear interest at a rate above 6 % during the period of military service and one year thereafter, in the case of an obligation or liability consisting of a mortgage, trust deed, or other security in the nature of a mortgage, or during the period of military service in the case of any other obligation or liability.
- The SCRA states that in a legal action to enforce a debt against real estate that is filed during, or within one year after the servicemember’s military service, a court may stop the proceedings for a period of time, or adjust the debt. In addition, the sale, foreclosure, or seizure of real estate shall not be valid if it occurs during or within one year after the servicemember’s military service unless the creditor has obtained a valid court order approving the sale, foreclosure, or seizure of the real estate.
- The SCRA contains many other protections besides those applicable to home loans.

How Does A Servicemember or Dependent Request Relief Under the SCRA?

- In order to request relief under the SCRA from loans with interest rates above 6% a servicemember or spouse must provide a written request to the lender, together with a copy of the servicemember’s military orders.

Rushmore Servicing, Attn: Military Families, PO Box 619098, Dallas, TX 75261-9741

- There is no requirement under the SCRA, however, for a servicemember to provide a written notice or a copy of a servicemember’s military orders to the lender in connection with a foreclosure or other debt enforcement action against real estate. Under these circumstances, lenders should inquire about the military status of a person by searching the Department of Defense’s Defense Manpower Data Center’s website, contacting the servicemember, and examining their files for indicia of military service. Although there is no requirement for servicemembers to alert the lender of their military status in these situations, it still is a good idea for the servicemember to do so.

How Does a Servicemember or Dependent Obtain Information About the SCRA?

- Servicemembers and dependents with questions about the SCRA should contact their unit’s Judge Advocate, or their installation’s Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <https://legalassistance.law.af.mil/>
- “Military OneSource” is the U. S. Department of Defense’s information resource. If you are listed as entitled to legal protections under the SCRA (see above), please go to www.militaryonesource.mil/legal or call (800) 342-9647 (toll free from the United States) to find out more information. Dialing instructions for areas outside the United States are provided on the website.